

the office of the register of deeds of the county in which the real estate conveyed thereby is situate, and the record thereof, are hereby legalized, validated and confirmed, notwithstanding that the church records do not disclose that the execution of such deeds was authorized by the congregation of said religious corporation in the manner provided by law.

Sec. 2. **Deeds to be read in evidence.**—The records of any such deed shall in all respects have the same force and effect as it would have if such deed had been legally authorized, and a duly authenticated copy of the record of any such deed may be read in evidence in any court within this state with the same effect as the original record thereof.

Sec. 3. **Not to affect pending litigation.**—This act shall not affect any conveyance the validity of which is questioned in any litigation now pending.

Approved April 19, 1937.

CHAPTER 296—H. F. No. 692

An act to amend Mason's Minnesota Statutes of 1927, Sections 5059, 5060, 5062, 5063 (b), 5070, 5071 and 5072, relating to the purchase, storing and disposition of grain received at public local grain warehouses, to the definition of, the supervision, regulation, operation, licensing, bonding, powers and duties of public local grain warehouses and warehousemen.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 5059, is hereby amended so as to read as follows:

“5059. **Public warehouses.**—All elevators, flour, cereal and feed mills, malt-houses and warehouses in which grain is received, stored or handled, situate at any *location* other than Minneapolis, St. Paul and Duluth, shall be public warehouses known as public local grain warehouses and shall be under the supervision and subject to the inspection of the ‘*Railroad and Warehouse Commission*’ hereinafter referred to as the commission.

All elevators, flour, cereal and feed mills, maltheuses or warehouses located in either of said cities receiving grain direct from producers in less than minimum carload lots shall be required to conform to all laws relating to public local grain warehouses.”

Sec. 2. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 5060, is hereby amended so as to read as follows:

"5060. **Warehouses must be licensed.**—All public local grain warehouses shall be licensed annually by the commission. *No license shall be issued until applicant has complied with Section 13, Chapter 114, Laws 1923, relating to storage of grain.* Application for license must be filed with the commission and the license issued before transacting warehouse business.

Commencing with the first day of September 1937, every license shall expire at midnight on the thirtieth day of June, the fee shall be five dollars for each license issued and a license shall be required for each such warehouse operated. The fees collected under this section shall be paid into the state treasury and credited to the state grain inspection fund.

Such license shall be revocable by the commission for cause upon notice and hearing.

All licenses, grade rules and all rules regulating public local grain warehouses shall upon receipt thereof by the warehouseman, be posted in a protected place in the driveway to his warehouse.

Any person, firm or corporation desiring to purchase grain from producers for the purpose of *resale* shall procure a license therefor from the Railroad and Warehouse Commission before transacting such business and shall be subject to the same laws, rules and regulations as may govern public local grain warehousemen in so far as they may apply. The license fee *for each buyer* shall be five dollars. Nothing in this act shall apply to anyone purchasing seed grain for his own use, *or to any person who occasionally engages in the purchase and sale of grain but who is not regularly engaged in such business.*

Any public local grain warehouseman or *such purchaser* of grain operating without first obtaining a license shall forfeit to the State for each day's operation fifty (\$50.00) dollars, and such operation may be enjoined upon complaint of the commission."

Sec. 3. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 5062, is hereby amended so as to read as follows:

"5062. **Licenses revoked.**—Any person, firm or corporation operating a public local grain warehouse who shall fail to keep the same open for the transaction of the business for which license has been issued, without first having received written permission from the commission to close, shall be guilty of a misdemeanor, and the license issued may be revoked by the commission and no reissue of license will be made to such warehouseman, or anyone associated or connected with him or them for a period not exceeding two years.

In case of *loss* by fire or other cause of any licensed public local grain warehouse, it shall be the duty of the licensee there of to *immediately* notify the commission in writing of such loss.

Upon the sale or lease of a public local grain warehouse, a transfer of the license for such warehouse shall be necessary and such transfer of license may be had free of charge by applying to the Railroad and Warehouse Commission for the same, provided, however, that the party or parties selling or leasing shall first file with the Railroad and Warehouse Commission a report of the business done from the preceding first day of *June*, up to the time of such sale or lease, and shall satisfy the commission that proper provision has been made for the purchase, redelivery, or continuation of storage of such grain as may be outstanding on storage receipts."

Sec. 4. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 5063 (b), is hereby amended so as to read as follows:

"5063. (b). **Grain to be received for storage.**—This grain is received, insured and stored to *June 30th*, following, unless it is shelled corn, when the date shall be March 31st following delivery, and terms expressed in the body of this receipt shall constitute due notice to the holder thereof of the expiration of the storage period. Excepting therefrom 'an agreement for the renewal of such storage,' the charges for receiving, insuring, handling and storing for the first fifteen days, or part thereof, shall be free. Storage after the first fifteen days shall be charged and hereby is fixed in the sum of one-thirtieth of a cent per bushel per day for the balance of the storage period, which shall be collected by the warehouseman upon presentation of the storage receipt for the sale or delivery of the grain represented by such receipt, or the termination of the storage period. It shall be and hereby is made unlawful for any person, firm, association or corporation to charge or collect a greater or lesser amount than the one herein fixed. If grain is cleaned at owner's request, the charge shall be two cents per bushel. This grain has been received and stored with grain of the same lawful grade. Upon the return of this receipt and payment or tender of a delivery charge per bushel of four cents for flax, three cents for wheat and rye and two cents for all other grains, and all other stated lawful charges accrued up to the time of said return of this receipt, the above amount, kind and grade of grain will be delivered within the time prescribed by law to the person above named or his order either from this warehouse, or if the owner so desires, in quantities not less than a carload in a public bonded warehouse at any terminal point upon the same line of railway within this state where state or federal inspection and weighing is in force, the grade and weight thereof to be determined by state or federal inspection and weighing as provided by law, and such grain to be subject to the usual freight, inspection, weighing and switching charges."

Sec. 5. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 5070, is hereby amended so as to read as follows:

"5070. **Reports to be filed.**—Every such warehouseman shall on or before the *tenth* day of *June* of each year render such commission, on blanks or forms prepared by it, an itemized and verified report of all business transacted by him as a public local grain warehouseman during the year beginning *June 1st* of the preceding year and ending *May thirty-first* of the current year.

Such report shall state the gross bushels of all grain of various kinds in his warehouse at the beginning of the year, the net bushels and dockage of all grain received, the net bushels and dockage of all grain shipped or delivered from such warehouse and the gross bushels of all grain remaining in the warehouse at the end of the year, and such report shall particularly specify an account for any overage or shortage in any kind of grain accruing during the year; provided, that flour, cereal and feed mills and malshouses, doing a manufacturing business only, shall be only required to render a report showing gross bushels of all grain on hand at the beginning of the year, net bushels and dockage of grain received, and gross bushels milled, as well as gross bushels on hand at the end of the year.

All public local grain warehousemen engaged in the handling or sale of any other commodity than grain shall keep an entirely separate account of their grain business and under no circumstances shall their grain account and other accounts be mixed.

The commission may also require special reports from such warehouseman at such times as the commission may deem expedient.

No license shall be reissued to any public local grain warehouseman who fails to make the annual report as required herein.

The commission may cause every such warehouse and the business thereof and the mode of conducting the same to be inspected by one or more of its members or by its authorized agent whenever deemed proper, and the property, books, records, accounts, papers, and proceedings of every such warehouseman shall at all times during business hours be subject to such inspection. The expense incurred by the commission in carrying out the provisions of this section shall be paid out of the state grain inspection fund."

Sec. 6. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 5071, is hereby amended so as to read as follows:

"5071. **Warehousemen to be licensed.**—All public local grain warehousemen, before receiving any grain in any public local grain warehouse, shall first apply to and secure from the Railroad and Warehouse Commission a grain storage license for such warehouse. A license fee of five dollars shall be paid to said commission for each

license issued and shall be deposited in the state treasury and credited to the grain inspection fund. *Commencing with the first day of September 1937, all such licenses shall expire at midnight on the thirtieth day of June, following their issuance.* Before any such license is issued to any warehouseman such warehouseman shall file with the commission a bond in such sum as the commission may prescribe, which sum shall not be less than *fifteen hundred dollars*. Such bonds shall be filed annually and cover the period of the license. Such bonds shall run to the State of Minnesota and be for the benefit of all persons storing grain in such warehouse. They shall be conditioned upon the faithful performance by the public local grain warehouseman of all of the provisions of law relating to the storage of grain by such warehouseman and the rules and regulations of the said commission relative thereto. The commission is authorized to require such increases in the amount of such bonds from time to time as it may deem necessary for the protection of the storage receipt holders. The surety on such bonds must be a surety company holding a certificate of the insurance commissioner authorizing it to execute the same; provided, that the commission may accept a bond executed by personal sureties, in lieu of a surety company, whenever such bond has attached to it the justification provided for in Section 8232, General Statutes of 1913, and an affidavit of the president of a bank in the county in which such local warehouse is situated, who is not interested in such warehouse, stating that such justification is true and correct.

Only one bond need be given for any line of elevators, mills, or warehouses owned, controlled or operated by one individual, firm or corporation.

Every such bond shall specify the location of each public local grain warehouse intended to be covered thereby and shall at all times be in a sufficient sum to protect the holders of outstanding storage receipts.

Any warehouseman who shall violate the provisions of this section shall forfeit to the state for each violation the sum of fifty dollars and such violation shall be cause for revocation of license."

Sec. 7. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 5072, is hereby amended so as to read as follows:

"5072. **Termination of licenses.**—All storage contracts on grain in store at public local grain warehouses shall terminate on *June 30th* of each year, except storage contracts on shelled corn, which shall terminate on March 31st of each year. Storage on any or all such grain may be terminated by the owner at any time before the date mentioned herein by the payment or tender of all legal charges and the surrender of the storage receipt together with a

demand for delivery of such grain, or notice to warehouseman to sell the same. In the absence of a demand for delivery, order to sell, or mutual agreement for the renewal of the storage contract entered into prior to the expiration of the storage contract, as prescribed in this act, the warehouseman shall, upon the expiration of the storage contract, sell such stored grain at the local market price on the close of business on that day, deduct from the proceeds thereof all legal accrued charges, and pay the balance of such proceeds to the owner upon surrender of the storage receipt."

Approved April 19, 1937.

CHAPTER 297—H. F. No. 366

An act to amend Laws 1929, Chapter 9, Section 6, relating to the salaries of members of the board of education of a county school district.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Law amended.**—That Laws 1929, Chapter 9, Section 6, be amended so as to read as follows:

"Sec. 6. **Salaries of the board of education of county school districts.**—The members of the board shall receive a per diem of \$6.00 while attending any regular or special meeting of the board, but not, however, more than \$144.00 in any one year, and shall receive five cents per mile in going to and from his place of residence to the place of meeting by the usual route of travel.

The *chairman*, clerk and treasurer of the county district shall receive such additional compensation as may be fixed by the board of education, provided, however, *the chairman shall not receive more than \$300.00*, the clerk shall not receive more than \$720.00 and the treasurer not more than \$600.00 as total compensation which includes mileage, in any one year in a county having an assessed valuation of less than \$5,000,000.00 which shall be in lieu of any allowance for office clerk hire."

Approved April 19, 1937.

CHAPTER 298—H. F. No. 309

An act to repeal Mason's Minnesota Statutes of 1927, Section 371, relating to the election boards in cities of the fourth class.